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10/726,023	12/02/2003	Ken Tanzillo	384.7854USU	2672

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EXAMINER

NGUYEN, NGA B

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/726,023

Applicant(s)

TANZILLO ET AL.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-24 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on August 1, 2005, which paper has been placed of record in the file.
2. Claims 1-24 are pending in this application.

### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1-24 have been considered but are not persuasive.

Claims 15-24 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 15 is amended to overcome the rejection, and therefore, examiner decides to withdraw the 101 rejection regarding to claims 15-24.

In the arguments regarding to claim 1, Applicant states that the system of Land (US 6,847,942) does not itself perform credit analysis of data retrieved from the databases. Examiner respectfully disagrees. In Land, the Account Receivable System (ARS) includes the Credit Inquiry Module (column 6, lines 30-35), wherein ***the Credit Inquiry Module primarily involves credit evaluation and credit maintenance activities***. Credit Inquiry Module reviews pay history and performs credit inquiries, accesses a customer account and views a diverse supply of data used for customer analysis, credit management, predicts remittance forecasts for a specific customer based on historic data, performs audit verification for tracking all transactions at the customer level for account reconciliation. Therefore, it is clearly that ***the ARS does itself perform credit analysis of data retrieved from the databases***.

Moreover, in response to applicant's argument regarding to claim 15, examiner emphasizes that Land also discloses providing days sales outstanding for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a date of last sale 782, the year-to-date sales 784; the unshipped orders 786), it is noted that the "year-to-date sales" is equivalent to "days sales outstanding" in the claimed invention. Examiner submits that the feature upon which applicant relies "a days sale outstanding", which is defined in the specification as "a number reflecting an average number of days to collect outstanding debt from customers, and which is calculated from a sales period, a sales figure and a total amount owed" (see specification, par. 10043J) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In conclusion, for the reason set forth above, examiner decides to maintain the rejection based on Land reference as indicated in the previous Office action and make this Office action FINAL.

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3628

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7 and 11-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claim 1, Land discloses a system for assessing risk, comprising:

a user interface to receive requests and customer account information to be stored in a portfolio in a first database (column 4, lines 30-67; centralized database 94 containing a variety of information relating to clients and their customers);

a risk assessment manger that provides application functions, services and portfolio analysis based on said requests (column 7, line 17-column 8, line 35, Credit Inquiry Module 190 involves credit evaluation);

a data integration component that provides access to at least a second

database (column 7, line 63-column 8, line 6; e.g. electronically interface with Dun & Bradstreet or other credit reporting agencies for searching and identifying a customer); and

a corporate linkage component that provides information used in determining a total risk exposure based on said portfolio (column 12, lines 43-50).

Regarding to claim 2, Land further discloses wherein said risk assessment manager comprises: a scoring component that provides a risk score based on said portfolio (column 7, lines 40-45; credit scoring software).

Regarding to claim 3, Land further discloses wherein said risk assessment manager comprises: a transfer component to import and export data to and from said first database (column 13, lines 34-45, export data from first database by displaying customer information; column 15, lines 48-60, import data to first database by updating customer information).

Regarding to claim 4, Land further discloses where said data integration component enhances said customer account information, provides entity matching for said customer account information, and/or provides data products (column 13, lines 45-60; ARS 10 reviews individual accounts on an exception basis).

Regarding to claim 5, Land discloses a system for assessing risk, comprising:  
a portfolio analysis component that analyzes a portfolio of customer accounts and provides a data product containing a financial profile based on said portfolio (column 6, lines 30-47); and

a common decisioning component that provides a credit decision based on

said portfolio and user-defined rules and/or policies (column 7, lines 45-62).

Regarding to claim 6, Land further discloses wherein said common decisioning component comprises: a setup component that receives said user-defined rules and/or policies (column 7, lines 18-40).

Regarding to claim 7, Land further discloses a configuration console component that provides administrative functions and security; wherein said administrative functions include an import function, an export function; and/or a score calculating function (column 15, line 62-column 16, line 5; column 7, lines 40-45).

Regarding to claim 11, Land discloses a machine-readable medium having instructions stored therein for performing a method of assessing risk, said method comprising:

receiving customer account information (figure 18 and column 13, lines 33-45; ARS 10 displays customer information sorted by customer number);

creating a portfolio based on said customer account information by applying at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and applying predictive indicators (column 13, lines 45-60; ARS 10 reviews individual accounts on an exception basis);

providing a customer base analysis of said portfolio (column 13, lines 45-60; reviewing customer's account, payment status, pay history, days to pay statistics, Dun & Bradstreet on-line interface information, etc.);

providing a risk score for at least one customer in said portfolio (column 13, lines 40-41; a Dun & Bradstreet rating 776 or a risk code 778); and

providing an account profile for said at least one customer (column 13, line 60-column 14, line 17).

Regarding to claim 12, Land further discloses comprising providing financial data about said portfolio in a selected currency (column 9, lines 25-43).

Regarding to claim 13, Land further discloses providing days sales outstanding information for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a date of last sale 782, the year-to-date sales 784; the unshipped orders 786).

Regarding to claim 14, Land further discloses wherein said account profile includes a financial statement (column 7, line 63-column 8, line 6; financial statements 270).

Regarding to claim 15, Land discloses a computer-implemented method of assessing risk, which comprises:

enhancing data in a portfolio of customer accounts by a quality assurance process (column 7, line 45-column 53; performing a credit check for an existing customer account through Credit Inquiry Module 190);

receiving and enforcing at least one user-defined rules and/or user-defined policy (column 8, lines 45-50; e.g. Order Control Limit; column 7, lines 40-45; credit scoring);

providing automated credit decisioning for at least one customer based on



said at least one user-defined rule and/or said at least one user-defined policy (column 7, lines 44-50; automatically approves customer order if the amount of order is less than or equal to the Order Control Limit);

providing days sales outstanding for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a date of last sale 782, the year-to-date sales 784; the unshipped orders 786); and

providing risk information for said at least one customer in said portfolio (figure 18 and column 13, lines 34-45; e.g. a Dun & Bradstreet rating 776, a risk code 778).

Regarding to claim 16, Land further discloses segmenting said portfolio by a selected variable to uncover risks and opportunities in said portfolio (column 8, lines 17-27).

Regarding to claim 17, Land further discloses wherein said risk information includes a total risk exposure within a corporate entity associated with said at least one customer (column 7, lines 63-65; Dun & Bradstreet reports 250 and/or other credit reporting agencies).

Regarding to claim 18, Land further discloses wherein said quality assurance process includes at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and/or applying predictive indicators (column 7, line 63-column 8, line 6; applying corporate linkage information, e.g. electronically interface with Dun & Bradstreet or other credit reporting agencies for searching and identifying a customer).

Regarding to claims 19-21, Land further discloses providing a financial profile of said at least one customer in said portfolio, wherein said financial profile includes how said at least one customer pays other companies, financial profile includes a financial statement for said at least one customer (column 7, line 63-column 8, line 6; Dun & Bradstreet reports 250; other credit reporting agencies 254; financial statements 270).

Regarding to claim 22, Land further discloses receiving a change in a financial statement for said at least one customer; and assessing a risk change in said portfolio based on said change in said financial policy according to said at least one user-defined rule and at least one user-defined policy (column 12, lines 44-50).

Regarding to claim 23, Land further discloses wherein said policy is selected from the group consisting of: a credit limit policy, a score policy, an exception policy, a collection policy, a selling term policy, and a financial selection policy (column 8, lines 44-50, Order Control Limit; column 7, lines 40-45, credit scoring).

Regarding to claim 24, Land further discloses providing a currency conversion feature; providing a local currency for said at least one customer in said portfolio; and assigning a default currency for said at least one customer in said portfolio (column 9, lines 25-43).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3628

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claims 8-10, Land further disclose determining a base currency for said customer in said portfolio (column 9, lines 25-43). Land does not disclose a country logic component that determines a base language for said customer in said portfolio; a database access component that retrieves country specific data from a plurality of systems, wherein said plurality of systems are selected from the group consisting of: European Office System, Canada Bilingual Office System, United States Advanced Office Systems, Nordic, and Asian Pacific Latin America. However, determining a base language for customer and retrieving country specific data from such a plurality of system above are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Land's adopt the well known features above for the purpose of providing more convenient to customer when accessing customer's account information.

### ***Conclusion***

9. Claims 1-24 are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

Art Unit: 3628

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272) 6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(703) 872-9306 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen



October 14, 2005